


## TOWN OF ELSMERE

### APPEAL TO THE BOARD OF ADJUSTMENT

11-18

<p>Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Adjustment of the Town of Elsmere, provided that a written application for appeal is filed within 20 days after the day the decision, citation, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted or the provisions of this code do not fully apply. Additionally, an application for appeal may be based on a claim that an action other than what is required by the code: 1) provides the same or better protections than what the code requires and 2) will not cost the Town of Elsmere any more money than enforcing the code as written. If the appellant proves that an action other than what is required by the code meets these two requirements, the Board of Adjustment may, in its discretion, either enforce the code as written or permit the proposed alternative action.</p>	
Date This Appeal was Filed: <u>10/4/11</u>	ACT NO. Tax Parcel Number: <u>1900200213</u>
Date of the Original Action: <u>9-19-11</u>	Subject Properties Address: <u>2109</u> <u>SENECA RD</u>
Property Owners Name: <u>DAVID + JEAN MORALES</u> Phone Number: <u>302-475-8560</u>	Property Owners Address: <u>1 MARKER DR</u> <u>Wilm. De 19810</u>
Applicants Name: <u>DAVID + Jean Morales</u>	
Applicants Address: <u>1 MARKER DR Wilm De 19810</u>	
Specific Item Being Appealed: (ex: Citation Number, Petition Number, Order Number Etc.) <u>11-9-0603</u> <u>11-9-0604</u> <u>11-9-0602</u>	
<div style="text-align: right;"></div>	
Applicants Signature: <u>Jean A. Morales</u> <u>David M. Morales</u>	Date: <u>10/4/11</u> <u>10/4/11</u>

10-13-2011

Citation # 11-9-0602

I tried to hire someone to remove the fence several times but nobody was interested. Finally someone said yes to the work and he did it that day and did a good job he charged me \$300.00. I am keeping his name for future work.

Citation # 11-9-0603 + 11-9-0604

I have not received any rent from the second floor since April 2011 and very little from the first floor. 2<sup>nd</sup> floor just rented 1<sup>st</sup> floor to vacate soon. I have estimates from several CO for a new door & Jam etc but I have not had it installed until 1<sup>st</sup> floor moves out as I do not want the door damaged in moving out. It will be taken care of as soon as the 1<sup>st</sup> floor moves out.

Thank you,

Jean Morale 10/15/11





## THE TOWN OF ELSMERE CODE ENFORCEMENT DEPARTMENT

\*\*\*\*\*CITATION\*\*\*\*\*

11 Poplar Avenue – Elsmere, DE 19805 Phone: 302-998-2215 Fax: 302-998-9920

<b>RESPONSIBLE PARTY</b>  David & Jean Morales 1 Marker Dr Wilmington, De 19810	<b>CITATION #</b>	11-9-0602
	<b>OFFICER</b>	Brian Swift
	<b>VIOLATION DATE</b>	9/19/2011
	<b>PROPERTY ADDRESS</b>	2109 Seneca Rd Wilmington, DE 19805
	<b>ABATEMENT DATE</b>	N/A

On the above date, the Code Enforcement Department performed an inspection of the above referenced property. During this inspection, a violation of the Town of Elsmere Code was discovered. The nature of the civil citation is described below.

Specific Violation	Code Section	Due Date	Amount Due
302.7 All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair (fence needs to be repaired or replaced)	2000 IPMC 302.7	10/19/2011	\$50.00
<p align="center">*****CITATION INFORMATION*****</p> <p>In order to process your payment, please write the property address in violation in the memo section of the check or money order, and then mail it with the voucher below.</p> <p>You may also pay your fee in person at Town Hall, 11 Poplar Ave., Elsmere, DE 19805.</p> <p align="center"><b>ABATEMENT COST</b></p> <p>If the violation noted above is not corrected by 4:00 pm. on the "ABATEMENT DATE" listed above, the Town will take action to abate the violation. If this becomes necessary in addition to the \$50.00 fine already assessed you will owe to the Town the costs of the abatement.</p> <p>Should you have any questions please contact the Code Enforcement Department at (302) 998-2215.</p>			



The "Amount Due" associated with this violation is a civil penalty and is due by no later than the "Due Date". Additionally if the violation is not abated by the "Abatement Date" shown above, the Town will take action to correct the violation. If this becomes necessary you will be responsible for the payment of all abatement costs incurred by the Town. Failure to pay the "Amount Due" and any abatement costs assessed shall give rise to a lien on the property pursuant to Title 25, Chapter 29, of the Delaware Code. You must pay this civil penalty of \$50.00 by the "Due Date" of this citation, even if the violation has been corrected.

Please return this section with your payment.

DUE DATE	PARCEL NUMBER	CITATION NUMBER	AMOUNT DUE
10-19-2011	1900200213	11-9-0602	\$50.00

Make Checks Payable To: The Town of Elsmere  
Mail Your Payment To: The Town of Elsmere  
Finance Department  
11 Poplar Avenue  
Elsmere, DE 19805

- Each 24-hour period that the condition giving rise to this citation continues will be subject to a separate citation and an additional civil penalty in the amount of \$50.00.
- You have the right to appeal this violation by submitting a written application to the Town of Elsmere's Board of Adjustment within twenty (20) days of the date of this violation. MEANS OF APPEAL SHOWN ON THE BACK.

# TOWN OF ELSMERE

11 POPLAR AVE  
ELSMERE, DE 19805  
ATTN: HEATHER A. HEROLD  
TEL: (302)998-2215  
FAX: (302)998-9920

INVOICE NO.

I2-00253

INVOICE DATE: 09/19/11

DUE DATE: 10/19/11

CUSTOMER #: C11-0602

DAVID & JEAN MORALES  
1 MARKER DR  
WILMINGTON, DE 19810

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
1.00	CODE-CIT	CODE CITATION 2109 SENECA RD - FENCE 2109 SENECA RD 2000 IPMC 302.7 ALL ACCESSORY STRUCTURES, INCLUDING DETACHED GARAGES, FENCES, AND WALLS, SHALL BE MAINTAINED STRUCTURALLY SOUND AND IN GOOD REPAIR. (FENCE NEEDS TO BE REPAIRED OR REPLACED)	50.0000	50.00
			TOTAL INVOICE	<hr/> 50.00

TOWN OF ELSMERE  
11 POPLAR AVE  
ELSMERE, DE 19805

DAVID & JEAN MORALES  
1 MARKER DR  
WILMINGTON, DE 19810

Invoice Id: I2-00253

Customer Id: C11-0602

Due Date: 10/19/11

Total Due: 50.00







## THE TOWN OF ELSMERE CODE ENFORCEMENT DEPARTMENT

**\*\*\*\*\*CITATION\*\*\*\*\***

11 Poplar Avenue – Elsmere, DE 19805 Phone: 302-998-2215 Fax: 302-998-9920

<b>RESPONSIBLE PARTY</b>  David & Jean Morales 1 Marker Dr Wilmington, De 19810	<b>CITATION #</b>	11-9-0603
	<b>OFFICER</b>	Brian Swift
	<b>VIOLATION DATE</b>	9/19/2011
	<b>PROPERTY ADDRESS</b>	2109 Seneca Rd Wilmington, DE 19805
	<b>ABATEMENT DATE</b>	N/A

On the above date, the Code Enforcement Department performed an inspection of the above referenced property. During this inspection, a violation of the Town of Elsmere Code was discovered. The nature of the civil citation is described below.

Specific Violation	Code Section	Due Date	Amount Due
303.15 All exterior doors, door assemblies and hardware shall be maintained in good condition (door & door jamb need to be repaired or replaced)	2000 IPMC 303.15	10/19/2011	\$50.00
<p style="text-align: center;"><b>*****CITATION INFORMATION*****</b></p> <p>In order to process your payment, please write the property address in violation in the memo section of the check or money order, and then mail it with the voucher below.</p> <p>You may also pay your fee in person at Town Hall, 11 Poplar Ave., Elsmere, DE 19805.</p> <p style="text-align: center;"><b>ABATEMENT COST</b></p> <p>If the violation noted above is not corrected by 4:00 pm. on the "ABATEMENT DATE" listed above, the Town will take action to abate the violation. If this becomes necessary in addition to the \$50.00 fine already assessed you will owe to the Town the costs of the abatement.</p> <p>Should you have any questions please contact the Code Enforcement Department at (302) 998-2215.</p>			



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DUE DATE	PARCEL NUMBER	CITATION NUMBER	AMOUNT DUE
10-19-2011	1900200213	11-9-0603	\$50.00

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Mail Your Payment To: The Town of Elsmere  
Finance Department  
11 Poplar Avenue  
Elsmere, DE 19805

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11 POPLAR AVE  
ELSMERE, DE 19805  
ATTN: HEATHER A. HEROLD  
TEL: (302)998-2215  
FAX: (302)998-9920

INVOICE NO.

I2-00254

INVOICE DATE: 09/19/11

DUE DATE: 10/19/11

CUSTOMER #: C11-0603

DAVID & JEAN MORALES  
1 MARKER DR  
WILMINGTON, DE 19810

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
1.00	CODE-CIT	CODE CITATION 2109 SENECA RD - DOOR & JAMB 2109 SENECA RD 2000 IPMC 303.15 ALL EXTERIOR DOORS, DOOR ASSEMBLIES AND HARDWARE SHALL BE MAINTAINED IN GOOD CONDITION (DOOR & DOOR JAMB NEED TO BE REPAIRED OR REPLACED)	50.0000	50.00
			TOTAL INVOICE	<hr/> 50.00

TOWN OF ELSMERE  
11 POPLAR AVE  
ELSMERE, DE 19805

DAVID & JEAN MORALES  
1 MARKER DR  
WILMINGTON, DE 19810

Invoice Id: I2-00254

Customer Id: C11-0603

Due Date: 10/19/11

Total Due: 50.00







# THE TOWN OF ELSMERE CODE ENFORCEMENT DEPARTMENT

## \*\*\*\*\*CITATION\*\*\*\*\*

11 Poplar Avenue -- Elsmere, DE 19805 Phone: 302-998-2215 Fax: 302-998-9920

<b>RESPONSIBLE PARTY</b>  David & Jean Morales 1 Marker Dr Wilmington, De 19810	<b>CITATION #</b>	11-9-0604
	<b>OFFICER</b>	Brian Swift
	<b>VIOLATION DATE</b>	9/19/2011
	<b>PROPERTY ADDRESS</b>	2109 Seneca Rd Wilmington, DE 19805
	<b>ABATEMENT DATE</b>	N/A

On the above date, the Code Enforcement Department performed an inspection of the above referenced property. During this inspection, a violation of the Town of Elsmere Code was discovered. The nature of the civil citation is described below.

Specific Violation	Code Section	Due Date	Amount Due
303.2 All exterior surfaces shall be maintained in good condition. Exterior wood surfaces shall be protected from the elements and decay by painting or other protective covering or treatment. (Home needs painting)	2000 IPMC 303.2	10/19/2011	\$50.00
<p align="center"><b>*****CITATION INFORMATION*****</b></p> <p>In order to process your payment, please write the property address in violation in the memo section of the check or money order, and then mail it with the voucher below.</p> <p>You may also pay your fee in person at Town Hall, 11 Poplar Ave., Elsmere, DE 19805.</p> <p align="center"><b>ABATEMENT COST</b></p> <p>If the violation noted above is not corrected by 4:00 pm. on the "ABATEMENT DATE" listed above, the Town will take action to abate the violation. If this becomes necessary in addition to the \$50.00 fine already assessed you will owe to the Town the costs of the abatement.</p> <p>Should you have any questions please contact the Code Enforcement Department at (302) 998-2215.</p>			



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DUE DATE	PARCEL NUMBER	CITATION NUMBER	AMOUNT DUE
10-19-2011	1900200213	11-9-0604	\$50.00

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Finance Department  
11 Poplar Avenue  
Elsmere, DE 19805

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11 POPLAR AVE  
ELSMERE, DE 19805  
ATTN: HEATHER A. HEROLD  
TEL: (302)998-2215  
FAX: (302)998-9920

INVOICE NO.

I2-00255

INVOICE DATE: 09/19/11

DUE DATE: 10/19/11

CUSTOMER #: C11-0604

DAVID & JEAN MORALES  
1 MARKER DR  
WILMINGTON, DE 19810

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
1.00	CODE-CIT	CODE CITATION 2109 SENECA RD - PAINT 2109 SENECA RD 2000 IPMC 303.2 ALL EXTERIOR SURFACES SHALL BE MAINTAINED IN GOOD CONDITION. EXTERIOR WOOD SURFACES SHALL BE PROTECTED FROM THE ELEMENTS AND DECAY BY PAINTING OR OTHER PROTECTIVE COVERING OR TREATMENT. (HOME NEEDS PAINTING)	50.0000	50.00
			TOTAL INVOICE	<hr/> 50.00

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11 POPLAR AVE  
ELSMERE, DE 19805

DAVID & JEAN MORALES  
1 MARKER DR  
WILMINGTON, DE 19810

Invoice Id: I2-00255

Customer Id: C11-0604

Due Date: 10/19/11

Total Due: 50.00

